

Department of Health
Rulemaking Hearing Rules
Board of Veterinary Medical Examiners
Division of Health Related Boards

Chapter 1730-1
General Rules Governing Veterinarians

Chapter 1730-4
General Rules Governing Certified Animal Control Agencies

Chapter 1730-5
General Rules Governing Certified Animal Euthanasia Technicians

Amendments

Rule 1730-1-.16, License, is amended by adding the following language as new paragraph (5):

- (5) Use of Titles - Any person who possesses a valid, unsuspended and unrevoked license issued by the Board has the right to use the title "Veterinarian," "Doctor of Veterinary Medicine," "D.V.M." or "V.M.D.", and to practice veterinary medicine, as defined in T.C.A. § 63-12-103. Violation of this rule regarding use of titles shall constitute unprofessional conduct and subject the licensee to disciplinary action.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-145, 63-12-103, 63-12-106, 63-12-112, and 63-12-124.

Rule 1730-4-.07, Requirements for Inspection, is amended by deleting paragraph (1) but not its subparagraphs and substituting instead the following language, so that as amended, the new paragraph (1) but not its subparagraphs shall read:

- (1) Upon receipt of a completed application packet and fees an on-site inspection will be scheduled by a premises inspector. The inspection will include the physical location where the euthanasia and/or pre-euthanasia solutions will be stored and administered, and a review of the paperwork requirements with the responsible person of the entity and/or the C.A.E.T.(s).

Authority: T.C.A. §§ 4-5-202, 4-5-204, 44-17-303, 63-12-106, 63-12-129, and 63-12-141.

Rule 1730-4-.11, Unprofessional Conduct, is amended by deleting paragraph (1) in its entirety and substituting instead the following language, so that as amended, the new paragraph (1) shall read:

- (1) Failing to maintain a record of each animal euthanized, and the euthanasia and/or pre-euthanasia solution dosages, or failing to maintain a record of how the euthanasia and/or pre-euthanasia drugs were obtained.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 44-17-303, 63-12-106, 63-12-124, and 63-12-141.

Rule 1730-4-.13, Dispensing, or Otherwise Distributing Pharmaceuticals, is amended by deleting paragraphs (2) and (3) in their entirety and substituting instead the following language, so that as amended, the new paragraphs (2) and (3) shall read:

- (2) A record of all euthanasia and pre-euthanasia solutions administered shall be kept.
- (3) The only drugs approved by the Board for the euthanasia of animals by a licensed veterinarian, a licensed veterinary technician employed by and functioning under the direct supervision of a licensed veterinarian, or a certified animal euthanasia technician in a certified animal control agency shall be sodium pentobarbital and all commercially available F.D.A. approved euthanasia agents containing sodium pentobarbital. The only drugs approved by the Board for the pre-euthanasia of animals by a certified animal euthanasia technician in a certified animal control agency shall be acepromazine and xylazine.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 44-17-303, 63-12-106, and 63-12-141.

Rule 1730-5-.01, Definitions, is amended by deleting paragraph (7) in its entirety and substituting instead the following language, so that as amended, the new paragraph (7) shall read:

- (7) Certified Animal Euthanasia Technician (C.A.E.T.) – A person employed by a certified animal control agency who is authorized by the Board of Veterinary Medical Examiners (BVME) to humanely euthanize animals by administering sodium pentobarbital and the drugs referred to in Rules 1730-4-.13 and Rule 1730-5-.14 which have been approved by the BVME for the euthanasia and pre-euthanasia of animals in a certified animal control agency.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 44-17-303, 63-12-106, and 63-12-141.

Rule 1730-5-.14, Dispensing, or Otherwise Distributing Pharmaceuticals, is amended by deleting paragraphs (2) and (3) in their entirety and substituting instead the following language, so that as amended, the new paragraphs (2) and (3) shall read:

- (2) A record of all euthanasia and pre-euthanasia solutions administered shall be kept.
- (3) The only drugs approved by the Board for the euthanasia of animals by a licensed veterinarian, a licensed veterinary technician employed by and functioning under the direct supervision of a licensed veterinarian, or a certified animal euthanasia technician in a certified animal control agency shall be sodium pentobarbital and

all commercially available F.D.A. approved euthanasia agents containing sodium pentobarbital. The only drugs approved by the Board for the pre-euthanasia of animals by a certified animal euthanasia technician in a certified animal control agency shall be acepromazine and xylazine.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 44-17-303, 63-12-106, and 63-12-141.

Legal Contact: Nicole Armstrong, Assistant General Counsel, Office of General Counsel, 26th Floor, William R. Snodgrass Tennessee Tower, 312 Eighth Avenue North, Nashville, TN 37247-0120, (615) 741-1611.

Contact for disk acquisition and/or party who will approve final copy for publication: Jerry Kosten, Regulations Manager, Division of Health Related Boards, First Floor Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010, (615) 532-4397.

Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

Leland D. Davis, D.V.M., President
Board of Veterinary Medical Examiners

The roll call vote by the Board of Veterinary Medical Examiners on these rulemaking hearing rules was as follows:

Board Members	Aye	No	Abstain	Absent
Jerry Wilhite, D.V.M.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Leland D. Davis, D.V.M.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Charles M. Thompson, D.V.M.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Thomas Edmunds, D.V.M.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Mary Welch, D.V.M.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Mary A.E. Grell, L.V.T.	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Marie Gordon	<u> </u>	<u> </u>	<u> </u>	<u> X </u>

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Board of Veterinary Medical Examiners on the 8th day of December, 2005.

Further, I certify that the provisions of T.C.A. § 4-5-222 have been fully complied with, that these rules are properly presented for filing, a notice of rulemaking hearing has been filed in the Department of State on the 25th day of August, 2005 and such notice of rulemaking hearing having been published in the September 15, 2005 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 22nd day of November, 2005.

Robbie H. Bell, Director
Health Related Boards

Subscribed and sworn to before me this the 8th day of December, 2005.

Notary Public

My commission expires on the 25th day of March, 2006.

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Paul G. Summers
Attorney General and Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State on the _____ day of _____, 200____, and will become effective on the _____ day of _____, 200____.

Riley C. Darnell
Secretary of State

By: _____